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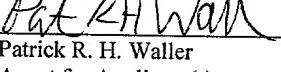
**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

Only for new nonprovisional applications under 37 CFR 1.53(b))

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>Only for new nonprovisional applications under 37 CFR 1.53(b)</small>		Attorney Docket No. CEL-002 First Named Inventor Gardner Title Bistable Genetic Toggle Switch	
<b><u>APPLICATION ELEMENTS</u></b>		ADDRESS TO: Box Patent Application Assistant Commissioner for Patents Washington, D.C. 20231	
1. <input type="checkbox"/> Fee Transmittal Form 2. <input type="checkbox"/> Small Entity Status <input type="checkbox"/> Applicant claims small entity status <input type="checkbox"/> Status established in prior application and is still proper and desired 3. <input checked="" type="checkbox"/> Specification and Drawings [Total Pages 75] - Written Description - ( 54 pages) - Claims - ( 4 pages) - Abstract - ( 1 page) - Sheets of Drawings - ( 16 sheets) <input type="checkbox"/> Formal <input checked="" type="checkbox"/> Informal 4. <input type="checkbox"/> Oath or Declaration [Total Pages ] a. <input type="checkbox"/> Newly executed (original) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 17 completed)</i> <i>[Note Box 5 below]</i>		<b><u>ACCOMPANYING APPLICATION PARTS</u></b>	
5. <input type="checkbox"/> Incorporation by Reference (usable if Box 4b is checked) The entire Disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.		8. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input type="checkbox"/> Power of Attorney 9. <input type="checkbox"/> English Translation Document ( <i>if applicable</i> )	
6. <input checked="" type="checkbox"/> Application Data Sheet		10. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations	
7. <input checked="" type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <input checked="" type="checkbox"/> Computer Readable Copy <input checked="" type="checkbox"/> Paper Copy (identical to computer copy) <input type="checkbox"/> CD (identical to computer copy) <input checked="" type="checkbox"/> Statement verifying identity of above copies		11. <input type="checkbox"/> Preliminary Amendment <input type="checkbox"/> Drawings [Total Sheets ] <input type="checkbox"/> Letter to Official Draftsperson Including Drawings [Total Pages ]	
17. <input type="checkbox"/> If a CONTINUING APPLICATION, amend the specification by inserting on page 1, before the first line, the sentence: --This is a <input type="checkbox"/> continuation <input type="checkbox"/> divisional <input checked="" type="checkbox"/> continuation-in-part of prior application Serial No. PCT/US99/28592, filed on December 1, 1999, the entire disclosure of which is incorporated by reference herein-- Priority to the above application(s) is claimed under 35 U.S.C. 120. Prior application information: Examiner: _____ Group/Art Unit: _____		12. <input checked="" type="checkbox"/> Return Receipt Postcard 13. <input type="checkbox"/> Certified Copy of Priority Document(s) 14. <input type="checkbox"/> Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application. 15. <input type="checkbox"/> CD in duplicate for large table or computer program. 16. <input type="checkbox"/> Other: _____	
18. <input checked="" type="checkbox"/> Priority - 35 U.S.C. 119(e) <input checked="" type="checkbox"/> Priority of application Serial No. 60/110,616 filed on December 2, 1998 is claimed under 35 U.S.C. 119(e). <input type="checkbox"/> The certified copy has been filed in prior U.S. application Serial No. _____ / _____ on _____. <input type="checkbox"/> The certified copy will follow.		<b>CORRESPONDENCE ADDRESS</b>	
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100		<b>SIGNATURE BLOCK</b>	
		Respectfully submitted,  Patrick R. H. Waller Agent for Applicant(s) Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110	

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PATENT  
Attorney Docket No. CEL-002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Gardner

SERIAL NO.: Not Yet Assigned GROUP NO.: Not Yet Assigned

FILING DATE: June 1, 2001 EXAMINER: Not Yet Assigned

TITLE: Bistable Genetic Toggle Switch

**Box PATENT APPLICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**SUBMISSION OF PAPER COPY AND/OR COMPUTER READABLE COPY  
OF SEQUENCE LISTING FOR INVENTION  
CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE**

Sir:

**1. Submitted herewith is/are**

(check each item as applicable)

- A.  a paper copy of the Sequence Listing for this application with each sequence assigned a separate identifier; and
- B.  a CD of the Sequence Listing for this application with each sequence assigned a separate identifier; and
- C.  a copy, in computer readable form, of the Sequence Listing for this application.

RECEIVED \* DECEMBER 10, 2001

Submission Of Paper Copy And/Or Computer Readable Copy Of Sequence Listing

For Invention Containing Nucleotide And/Or Amino Acid Sequence

Serial No.

Page 2 of 2

**STATEMENT**

3. I hereby state that:

(complete applicable items A, B and/or C)

- A.  the content of the paper and computer readable copy submitted herewith are the same.
- B.  the content of the CD and computer readable copy submitted herewith are the same; and
- C.  the content of the computer readable copy submitted herewith is the same as the Sequence Listing appearing on pages \_\_ to \_\_ of the original specification as filed; and
- D.  this submission includes no new matter.

Respectfully submitted,

Pat R. H. Wall

Patrick R. H. Waller

Agent for Applicant(s)

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Date: June 1, 2001  
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